

1 LAW OFFICES OF AMY N. TIRRE,
2 A Professional Corporation
3 AMY N. TIRRE, ESQ. #6523
3715 Lakeside Drive, Suite A
3 Reno, NV 89509
4 (775) 828-0909 Telephone
4 (775) 828-0914 Facsimile
5 E-mail: amy@amytirrelaw.com

E-Filed: November 8, 2011

6 Counsel for Tri-State Livestock Credit Corporation

7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF NEVADA**

9 In re

Case No. BK-N-11-52345

10 DOUBLE U LIVESTOCK, LLC,

Chapter 12

11 Debtor.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**DECLARATION OF AMY N. TIRRE,
ESQ. IN SUPPORT OF TRI-STATE
LIVESTOCK CREDIT CORPORATION'S
OBJECTION REPLY TO DEBTOR'S
RESPONSE TO MOTION TO PROHIBIT
USE OF CASH COLLATERAL, OR IN
THE ALTERNATIVE, MOTION FOR
ADEQUATE PROTECTION**

Hearing Date: November 9, 2011

Hearing Time: 10:00 a.m.

Est. Hearing Time:

I, AMY N. TIRRE, being first duly sworn, depose and say under penalty of perjury, that the following assertions of this declaration are true as follows:

1. I am an attorney with the law firm of Law Offices of Amy N. Tirre, A Professional Corporation and admitted to practice law in Nevada and before the United States District Court in and for the District of Nevada. I represent Tri-State Livestock Credit Corporation ("Tri-State") in the above-referenced bankruptcy case of Double U Livestock, LLC ("Debtor"). I make this declaration in support of Tri-State's concurrently-filed *Reply to Debtor's Response to Motion to Prohibit Use of Cash Collateral, or In The Alternative, Motion for Adequate Protection*.

2. On or about August 20, 2011, John White, Esq. forwarded the budget attached hereto as **Exhibit 1** in response to my letter notifying him that Tri-State objected to Debtor's use

LAW OFFICES OF AMY N. TIRRE
3715 Lakeside Drive, Suite A
Reno, NV 89509
(775) 828-0909 Telephone
(775) 828-0914 Facsimile
E-mail: amy@amytirrelaw.com

1 of Tri-State's cash collateral.

2 3. On or about October 9, 2011, Mr. White provided an updated budget, a copy of
3 which is attached hereto as **Exhibit 2**.

4 4. On October 11, 2011, Mr. White sent the email attached hereto as **Exhibit 3**.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct and that this Declaration was executed on November 8, 2011 at Reno, Nevada.

7 8 9 /s/ Amy N. Tirre
9 AMY N. TIRRE

CERTIFICATE OF SERVICE

Pursuant to FRBP 7005 and FRCP 5(b), I certify that I am an employee of Law Offices of Amy N. Tirre, that I am over the age of 18 and not a party to the above-referenced case, and that on November 8, 2011 I filed the **DECLARATION OF AMY N. TIRRE, ESQ. IN SUPPORT OF TRI-STATE LIVESTOCK CREDIT CORPORATION'S OBJECTION REPLY TO DEBTOR'S RESPONSE TO MOTION TO PROHIBIT USE OF CASH COLLATERAL, OR IN THE ALTERNATIVE, MOTION FOR ADEQUATE PROTECTION** as indicated:

BY NOTICE OF ELECTRONIC FILING: through Electronic Case Filing System of the United States Bankruptcy Court, District of Nevada, to the individuals and/or entities at their email addresses as set forth below:

- M NELSON ENMARK nenmark.trustee@gmail.com
- MICHAEL LEHNERS michaellehners@yahoo.com
- KAARAN E. THOMAS kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- JOHN WHITE bankruptcy@whitelawchartered.com, john@whitelawchartered.com;jen@whitelawchartered.com

BY HAND DELIVERY VIA COURIER: by causing hand delivery of the Document listed above via Reno Carson Messenger Service to the persons at the addresses set forth below.

BY MAIL: by placing the document listed above in a sealed envelope with Postage thereon fully prepaid in the United States Mail at Reno, Nevada, and addressed as set forth below. I am readily familiar with my office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on 8 November 2011, with postage thereon fully prepaid in the ordinary course of business.

DATED this November 8, 2011.

/s/ Amy N. Tirre
An Employee of Law Offices of Amy N. Tirre

EXHIBIT 1

EXHIBIT 1

	2011 JUL	2011 AUG	2011 SEPT	2011 OCT	2011 NOV	2011 DEC	12 Month TOTAL
<u>INCOME</u>							
Lambs (1,200)					226,800		226,800
Ewes (300)				19,200			19,200
Bucks							0
Wool							0
Hay (600T) @150					105,000		105,000
Grazing	4,125	4,125	4,125	9,225	9,225		30,825
Hunting Fees							0
Total Cash Inc.	4,125	4,125	23,325	341,025	9,225		381,825
<u>EXPENSES</u>							
Real Estate Taxes		1,500				1,500	3,000
BLM Fees				4,050	5,400		9,450
Insurance		6,000				6,000	12,000
Wade West Salary				1,500	1,500		3,000
Hired Labor	5,400	5,400	5,400	5,400	7,400		29,000
Labor groceries	2,500	2,500	2,500	2,500	2,500		12,500
Contract Shearing							0
Livestock (Bucks)							0
Purchased feed	100	100	1,000	1,000	100		2,300
Fert./Seed/Chem.							0
Trucking			500	1,200			1,700
Fuel	5,500	5,500	5,500	3,000	3,000		22,500
R & M	2,500	2,500	2,000	1,500	1,500		10,000
Supplies	2,800	2,800	2,800	2,800	2,800		14,000
Utilities	400	400	400	2,900	400		4,500
Legal & Acct	200	200	200	200	200		1,000
Cat 525B Pay.	1,000	1,000	1,000	1,000	1,000		5,000
Baler SB44 Pay.							
Swather Pay.	1,200	1,800					
Vehicle Pay.							
Operating Int.							
Improve Hay Yields							
SW Hay purchase					90,000		90,000
SW Rent Camp					10,000		10,000
SW Rent Grazing					5,400		5,400
Paris (Int 245 days)				27,974			27,974
Tri-State (Int est)				0			0
Total Cash Exp.	21,600	29,700	21,300	55,024	138,700		266,324
<u>CASH FLOW</u>							
Beginning Cash	5,000	(12,475)	(38,050)	(36,025)	249,976		
Ending Cash	5,000	(12,475)	(38,050)	(36,025)	249,976	120,501	110,000
Net Farm Income for contingent and Administrative Expenses						10,501	

EXHIBIT 2

EXHIBIT 2

Double U, Anticipated Cash Flow, October - December, 2011.

Month	OCT	NOV	DEC	TOTAL
<u>INCOME</u>				
Lambs	224,825	50,196		275,021
Ewes*		15,000		15,000
Hay*		26,250		26,250
Grazing**	4,275	4,275	4,275	12,825
Hunting Fees				0
Total Cash Income	229,100	95,721	4,275	329,096
<u>EXPENSES</u>				
Real Estate Taxes	1,026			1,026
BLM Fees		4,050	5,400	9,450
Insurance			6,000	6,000
Wade West Wage		1,500	1,500	3,000
Hired Labor	5,400	7,600	5,400	18,400
Labor groceries	2,500	2,500	2,500	7,500
Livestock (Rams)		4,000		4,000
Fuel	3,000	3,000	3,000	9,000
R & M	2,000	1,500	1,500	5,000
Supplies	2,800	2,800	2,800	8,400
Utilities	400	2,900	400	3,700
Legal & Acct	200	200	200	600
Cat 525B Pay.	982	982	982	2,946
Swather lease Pay.	6,000			6,000
Improve Hay Yields		10,000		10,000
SW Hay purchase			77,000	77,000
SW Rent Camp			10,000	10,000
SW Rent Grazing			8,550	8,550
Total Cash Exp.	24,308	41,032	125,232	190,572
<u>CASH FLOW</u>				
Beginning Cash	(31,831)	172,961	227,650	
Ending Cash	172,961	227,650	106,693	

*Ewe sales is Bob's estimate, it could be more.

** Only 25% of hay is sold in 2011, 78% in inventory on December 31.

*** Grazing contract pending

EXHIBIT 3

EXHIBIT 3

From: John White [john@lawquest.com]
Sent: Tuesday, October 11, 2011 2:01 PM
To: Amy Tirre
Subject:payments to Sweetwater in proposed Double U cash collateral budget

Amy,

I spoke with Mr. Fletcher and those payments are to repay Sweetwater for debt already incurred,

\$77,000 (hay 440 tons @\$200 market price less \$25 credit for DoubleU for hay harvest), time period first part of may til middle of june....
That's 2805 sheep at \$7 lbs per day for 45 days);

\$10,000 for sheep camp from first part of may til middle of june, 2011;

Grazing \$85,500 we think is mostly if not all for this fall (post-petition). They probably are grazing sheep on them right now. Bob is unsure and is checking this with Jim West. Grazing is calculated at 570 AUMS, 360 of those are aftermath grazing on the alfalfa fields at 1.5 AUMs per acre, and 700 acres of deeded pasture at .3 AUMs per acre. This is valued at \$15 per AUM. 570 AUMs times \$15 equals \$85,500.

John